



5/5/03

May 1, 2003

Town of Acton  
Board of Selectmen  
C/o Don Johnson, Town Manager  
472 Main Street  
Acton, MA 01720

Dear Don and Members of the Board:

I am writing in response to a conversation I had with Don today as well as to share some information with you relating to three subjects. I understand how busy you are so I will attempt to be to the point and as brief as possible.

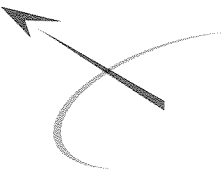
I understand you are meeting at 8:00pm on Monday night to specifically discuss Franklin Place. In order for you to better understand what we are proposing I will deliver copies of our new conceptual rendering of the project for your review on Monday.

I would like you to know that upon discussing the pros and cons of such a project with Roland we decided that a 32-unit 40B project worked reasonably well on the site. As you know the site is on an affordable housing overlay district, borders industrial buildings on two sides and residential on the other two sides. It is really not too close to the homes on Hillcrest Drive and probably only visible from about five homes in total. We felt it was a good transition from the commercial to the residential and hope you agree. Although the unit count may be more than you would like to see, it is far less dense than many 40B projects and does give eight units of much needed affordable housing to the Town as well as some moderate income housing we also feel is needed.

We certainly understand any challenge to the project based on the technical merit of the site plan layout etc. and are clearly prepared to answer any of those concerns; however we think there could be far more detrimental use of the land from an appearance and density standpoint. As always, we are willing to discuss any of these issues with you at any time.

A second reason for writing is to react to the meeting held last Monday evening regarding 40B projects and affordable housing in general. The 40B process has been a bit over used recently and although Acton has escaped somewhat untouched so far, it is really only a matter of time. Unfortunately most Towns have not been proactive and find themselves vulnerable to the process. What is troublesome however, is that the Towns that are the most anti-development in general seem to be hit a bit harder simply because developers can circumvent some of the process or at the very least have a bit more leverage to encourage cooperation.

I have been concerned that while I think Acton has been, and for the most part continues to be, fair in their dealings with developers and development it has become apparent that a few people and Boards are not. It doesn't take long for the position of only a few ("the verbal minority") to be interpreted as the Town's position and this will only discourage customary development and encourage 40B type development. I personally am aware of two more fairly substantial 40Bs on the horizon in Town.



In addition, Don and I have discussed the ACHC and ways in which the Town can be more proactive in increasing the number of affordable units; however it seems there is a disconnect somewhere. I would be happy to elaborate further on this or I think Don can do so in my place.

My final subject is about Quail Ridge and the appeal of the site plan special permit for the kennel, which you had recently granted us. Since then as I'm sure you know, the decision has been appealed by Crestfield Condominiums.

It is our intention to fight this in every way possible within the extent of the law and have begun that process already.


What is very difficult to understand is the opposition we have encountered from start to finish on every aspect of this project. We felt it was a win-win for the Town of Acton and for us to develop the golf course and not more homes as encouraged by the Master Plan and to build a modern kennel that at the very least will reduce the noise as it currently exists. A golf course and new less noisy kennel or homes and the existing kennel...is there really any choice? Because of a very small group of people the golf course has almost been de-railed on several occasions and now a group of folks at Crestfield may de-rail both. I'm not sure of their motivation but it appears if they are successful the Town loses, we lose and they lose too.

I think we understand that the Town is not in the habit of spending time and money actively defending appeals and we are certainly prepared to spend both. However, if you agree with what I pointed out we would like to think that you would assist us in any way you can to defend what you obviously felt was in the best interest of the Town by granting the approval and at the very least send a representative to speak with residents at Crestfield to point out the possible ramifications of their actions. We think that as a group they must not understand and are being influenced by a couple of people.

The Palmers have made the decision that if their business has to be shut down then the golf course project will be abandoned at which time we will need to look at all options to re-coup losses to date.

Thank you once again for your time and continued support.

Yours Truly,



Ronald B. Peabody